

## DRAFT RULEMAKING SHADING LEGEND

- \* Shaded text - Rule sections or subsections not suggested for revision. This text is only for reference.
  - \* Unshaded Text - Rule sections or subsections that are suggested for revision.
  - \* Boldface Text – Suggested language additions.
  - \* Strikeout Text – Suggested language deletions.
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### 10 CSR 10-6.070 New Source Performance Regulations

*PURPOSE: This rule establishes acceptable design and performance criteria for specified new or modified emission sources. The purpose of this rulemaking is to amend 10 CSR 10-6.070 to incorporate 40 CFR part 60 subparts promulgated or amended between January 1, 2002 and June 30, 2003. Once the regulations are incorporated by reference, the Missouri Department of Natural Resources' Air Pollution Control Program will request delegation of enforcement authority from the U.S. Environmental Protection Agency (EPA). Yearly updates to this regulation is an EPA requirement to approve the state's authority to administer its Title V permits program. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, are elements of the State/EPA work plan and Title V Operating Permit Program requirements.*

(1) Applicability.

- (A) The provisions of 40 CFR part 60, as of June 30, ~~2002~~**2003**, shall apply and are adopted by reference as part of this rule.

(B) Exceptions to the adoption are as follows:

1. Sections 60.4, 60.9 and 60.10 of subpart A;
2. Subpart B in its entirety;
3. Those provisions which are not delegable by United States Environmental Protection Agency (EPA). Examples of these are listed as follows:
  - A. Innovative Technology Waivers (for example, sections 60.47, 60.286 and 60.398);
  - B. Commercial Demonstration Permits (for example, section 60.45a);
  - C. Alternative or Equivalent Methods (for example, sections 60.8(b)(2), 60.8(b)(3), 60.11(e), 60.114(a), 60.195(b), 60.302(d)(3), 60.482-1(c)(2), 60.484, 60.493(b)(2)(i)(A), 60.496(a)(1), 60.592(c) and 60.623); and
  - D. National Consistency (for example, sections 60.332(a)(3) and 60.335(f)(1)); and
4. Incinerators which are subject to Hazardous Waste Management Commission rule 40 CFR 264, subpart O as incorporated in 10 CSR 25-7.264 shall not be subjected to the requirements of this rule. The exemptions granted under 40 CFR 264.340(b) as incorporated in 10 CSR 25-7.264 are subject to this rule. All other applicable requirements of this chapter shall remain in effect as to the incinerators.

- (C) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive [~~of each emission limitation, the more accurate test procedure or the more restrictive~~] **rule** requirement shall be applied **if that requirement is within the limitations of 643.055, RSMo.**

- (2) Definitions. Certain terms used in 40 CFR part 60 refer to federal officers, agencies and publications. The following terms applicable to Missouri shall be substituted where appropriate for the delegable federal counterparts:
- (A) Director shall be substituted for Administrator;
  - (B) Missouri Department of Natural Resources shall be substituted for EPA, EPA Regional Office or Environmental Protection Agency; and
  - (C) *Missouri Register* shall be substituted for *Federal Register*.

- (3) General Provisions. The following are the New Source Performance Standards (NSPS) 40 CFR part 60 subparts that are adopted by reference in this rule. Individual source operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart	Title
(D)	Fossil-Fuel Fired Steam Generators
(Da)	Electric Utility Steam Generating Units
(Db)	Industrial-Commercial-Institutional Steam Generating Units
(Dc)	Small Industrial-Commercial-Institutional Steam Generating Units
(E)	Incinerators
(Ea)	Municipal Waste Combustors constructed after December 20, 1989, and on or before September 20, 1994
(Eb)	Municipal Waste Combustors constructed after September 20, 1994
(Ec)	Hospital/Medical/Infectious Waste Incinerators constructed after June 20, 1996
(F)	Portland Cement Plants
(G)	Nitric Acid Plants
(H)	Sulfuric Acid Plants
(I)	Asphalt Concrete Plants
(J)	Petroleum Refineries
(K)	Storage Vessels for Petroleum Liquids after June 11, 1973
(Ka)	Storage Vessels for Petroleum Liquids
(Kb)	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) after July 23, 1984
(L)	Secondary Lead Smelters
(M)	Secondary Brass and Bronze Production Plants
(N)	Primary Emissions from Basic Oxygen Process Furnaces
(Na)	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities
(O)	Sewage Treatment Plants
(P)	Primary Copper Smelters
(Q)	Primary Zinc Smelters
(R)	Primary Lead Smelters
(S)	Primary Aluminum Reduction Plants
(T)	Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants

(U) Phosphate Fertilizer Industry: Super-phosphoric Acid Plants  
 (V) Phosphate Fertilizer Industry: Diammonium Phosphate Plants  
 (W) Phosphate Fertilizer Industry: Triple Superphosphate Plants  
 (X) Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities  
 (Y) Coal Preparation Plants  
 (Z) Ferroalloy Production Facilities  
 (AA) Steel Plants: Electric Arc Furnaces  
 (AAa) Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels  
 (BB) Kraft Pulp Mills  
 (CC) Glass Manufacturing Plants  
 (DD) Grain Elevators  
 (EE) Surface Coating of Metal Furniture  
 (GG) Stationary Gas Turbines  
 (HH) Lime Manufacturing Plants  
 (KK) Lead-Acid Battery Manufacturing Plants  
 (LL) Metallic Mineral Processing Plants  
 (MM) Automobile and Light-Duty Truck Surface Coating Operations  
 (NN) Phosphate Rock Plants  
 (PP) Ammonium Sulfate Manufacture  
 (QQ) Graphic Arts Industry: Publication Rotogravure Printing  
 (RR) Pressure Sensitive Tape and Label Surface Coating Operations  
 (SS) Industrial Surface Coating: Large Appliances  
 (TT) Metal Coil Surface Coating  
 (UU) Asphalt Processing and Asphalt Roofing Manufacture  
 (VV) Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry  
 (WW) Beverage Can Surface Coating Industry  
 (XX) Bulk Gasoline Terminals  
 (AAA) New Residential Wood Heaters  
 (BBB) Rubber Tire Manufacturing Industry  
 (DDD) Polymer Manufacturing Industry  
 (FFF) Flexible Vinyl and Urethane Coating and Printing  
 (GGG) Equipment Leaks of VOC in Petroleum Refineries  
 (HHH) Synthetic Fiber Production Facilities  
 (III) VOC Emissions from SOCM I Air Oxidation Unit Processes  
 (JJJ) Petroleum Dry Cleaners  
 (KKK) Equipment Leaks of VOC From Onshore Natural Gas Processing Plants  
 (LLL) Onshore Natural Gas Processing[—]: SO<sub>2</sub> Emissions  
 (NNN) VOC Emissions from SOCM I Distillation Operations  
 (OOO) Nonmetallic Mineral Processing Plants  
 (PPP) Wool Fiberglass Insulation Manufacturing Plants  
 (QQQ) VOC Emissions From Petroleum Refinery Wastewater Systems  
 (RRR) Synthetic Organic Chemical Manufacturing Reactor Processes  
 (SSS) Magnetic Tape Coating Facilities  
 (TTT) Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines  
 (UUU) Calciners and Dryers in Mineral Industries  
 (VVV) Polymeric Coating of Supporting Substrates Facilities  
 (WWW) Municipal Solid Waste Landfills

(AAAA) Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001

(CCCC) Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001

(4) Reporting. Reporting requirements are specified in each federal regulation adopted by reference.

(5) Test Methods.

(A) Relation to 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources. The sampling methods given in 40 CFR part 60, Appendix A and specified in 10 CSR 10-6.030 shall be effective as of the date in section (1) of this rule.

(B) Relation to 10 CSR 10-6.040 Reference Methods. The reference methods given in 40 CFR parts 50 and 53 and specified in 10 CSR 10-6.040(4) shall be effective as of the date in section (1) of this rule.